

less than 9.5 cubic centimeters of half normal sodium hydroxide per 10 cubic centimeters, and total citric acid corresponding to less than 28 cubic centimeters half normal sulphuric acid per 10 cubic centimeters, whereas said pharmacopoeia provided that solution of magnesium citrate contain in each 100 cubic centimeters magnesium citrate corresponding to not less than 1.5 gram of magnesium oxide, that it contain acidity corresponding to not less than 9.5 cubic centimeters of half normal sodium hydroxide per 10 cubic centimeters and contain total citric acid corresponding to not less than 28 cubic centimeters of half normal sulphuric acid per 10 cubic centimeters, and the standard of strength, quality, and purity of the article was not declared on the containers thereof.

Misbranding was alleged for the reason that the statements, to wit, "Solution Citrate Magnesia" and "Citrate Magnesia U. S. P. IX," borne on the labels, were false and misleading in that the said statements represented that the article was solution citrate magnesia and was citrate magnesia which conformed to the test laid down in the United States Pharmacopoeia, ninth revision, whereas it was not solution citrate magnesia, and did not conform to the test laid down in said pharmacopoeia, ninth revision.

On June 18, 1929, pleas of nolo contendere to the information were entered by the defendants, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16403. Misbranding of Nozol. U. S. v. 5½ Dozen Bottles of Nozol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23681. I. S. No. 01724. S. No. 1876.)

On May 6, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5½ dozen bottles of Nozol at Cincinnati, Ohio, alleging that the article had been shipped by the Nozol Co. (Inc.), from Pittsburgh, Pa., on or about March 25, 1929, and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of mineral oil containing camphor, oil of peppermint, and menthol, colored with a pink dye.

The article was labeled in part: (Bottles) "Keeps the nose clean and healthy;" (folder) "Nozol America's Nose Remedy * * * The Health and Care of the Nose. Medical authorities are stressing the importance of the proper regular care of the nose as a preventive of disease as well as in the treatment where infection has already set in. Most of the troubles of the human race can be traced to germs. And it is through the nasal passages that many of these germs enter. We constantly breathe air that is filled with dust, germ-laden particles—some of these pass off with the nasal secretions. However, not all are passed because many lodge on the moist membranous linings and soon an infection appears. Regular cleaning of the nasal passages is as important as cleaning the teeth—the fact that they cannot be readily seen results in many people neglecting them. Nozol is today recognized by physicians, hospitals and specialists as the foremost preparation for the treatment of general nasal troubles. Furthermore they recommend Nozol to prevent as well as to check disease. * * * Nozol * * * healing * * * the infected parts and helping to stop further spread of the infection * * * permits sufficient time for the therapeutic action. * * * Nozol * * * is an effective agent in combating sinus trouble. * * * Nozol is a liquid * * * reaching all parts of the mucous membrane, whereas salves and ointments seldom reach all the infected parts. Nozol for Nasal Catarrh. Catarrh of the nose is one of the most common of diseases. Chronic inflammation of the membrane caused usually by excessive secretion is usually present in nasal catarrh and daily use of Nozol should be followed. The healing, soothing qualities of Nozol will greatly aid nature in curing this catarrhal condition * * * Nozol for Hay Fever. Sufferers from Hay Fever seldom receive the sympathy to which they are entitled and no certain cure has ever been discovered. Thousands today are getting welcome relief during severe attacks and others start prevention early through the use of Nozol. Pollen, that carries the dreaded hay fever, attacks the delicate tissues of the lining. Nozol, when used in time, spreads over the tissues, preventing the pollen from attacking the lining. * * * Nozol for Sinus Trouble * * * It is estimated that two out of three people in America are troubled with sinus infection of varying degrees.

Sinus trouble usually follows severe colds and is indicated by frequent headaches, drippings of mucous into the throat, stoppage of the nasal passages and soreness and tenderness beneath the eye and over the cheekbone. If nature is allowed free rein, it can usually correct this condition. Nozol Most Effective Preparation for Sinus Trouble. By using Nozol regularly, the nasal passages are kept clear and clean and proper drainage of the sinus allowed. Use frequently, three or four times a day if convenient, and shortly the most stubborn cases of sinus trouble usually will yield to this treatment. Physicians are among those loudest in their praise of Nozol for sinus trouble. * * * people having trouble breathing while sleeping, and this is also true in case of children, can overcome this condition by clearing out the passages with Nozol." It was alleged in the libel that the article was misbranded in that the above-quoted statements, appearing on the bottle labels and in the folder accompanying the said article, regarding the curative and therapeutic effects of the said article were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the prevention or treatment of the diseases and conditions named therein.

On June 14, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16404. Misbranding of Dr. R. A. Armistead's ague tonic. U. S. v. 66 Bottles of Dr. R. A. Armistead's Ague Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23585. I. S. No. 0889. S. No. 1706.)

On April 5, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 66 bottles of Dr. R. A. Armistead's ague tonic, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the W. M. Akin Medicine Co., Evansville, Ind., on or about November 3, 1928, and transported from the State of Indiana into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of quinine sulphate, extracts of plant drugs, sugar, alcohol, and water, flavored with cinnamon.

It was alleged in the libel that the article was misbranded in that the following statements, borne on the labels, were false and misleading: (Carton) "Produces * * * Results * * * without Any of Quinine's Bad After-Effects. * * * This Tonic May Be Given to the Most Delicate Child;" (circular) "Do not hesitate to take large and frequent doses, as there will be none of the bad after effects such as are experienced with quinine and its compounds. Take large doses * * * It is absolutely harmless." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (carton) "Ague Tonic Produces Better Results Than Quinine * * * Is not only a specific for chills and malarial fever, but as a general tonic * * * It is especially good * * * in convalescence after typhoid fever," (bottle) "Ague Tonic * * * Chills & Malaria * * * When the chill time is near at hand it is advisable to double the dose as this will generally ward off the chill entirely. * * * Flu and La Grippe * * * Take * * * until recovery. * * * continue * * * until health is fully restored. General Builder Tonic * * * After chills have been stopped, the patient should continue to take * * * until perfect health is restored. * * * Begin taking the tonic (two tablespoonfuls to a dose) ten hours before chill is expected and repeat this dose every two hours," (circular) "Ague Tonic A General Builder Tonic Flu * * * Chills Malaria * * * in which district * * * there was a great deal of chills and malarial fever. This tonic was used * * * with unvarying success and it worked with such good results * * * as the best treatment * * *